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Date:

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By:

Deborah A. Brodsky

TECH CENTER 1600/2500



Attorney Docket No.: 2001-0703.30

Applicant: Cho, et al.

Serial No.: 09/538,864

Filing Date: March 29, 2000

For: VALUE-ADDED TRAITS IN GRAIN AND SEED

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NOV 15 2000

Assistant Commissioner for Patents
Washington, D.C. 20231

TECH CENTER 1600/2500

Sir:

1. Transmitted herewith are the following:
 - ☒ An Amendment Under 37 CFR \$1.111
 - ☐ A Petition for -Month Extension of Time
 - ☐ A Terminal Disclaimer
 - ☒ Sequence Listing printout, floppy diskette, matching declaration
 - ☐ Information Disclosure Statement, Form 1449, References
 - ☐ Check in the amount of \$
2. Entity Status
 - ☒ Small Entity Status (37 CFR \$1.9 and \$1.27) has been established by a previously submitted Small Entity Statement.
3. Conditional Petition for Extension of Time:
An Extension of Time is requested to provide for timely filing if necessary for timely filing of this transmittal and enclosures.
4. Provisional Fee Authorization
Please charge any underpayment in fees for timely filing of this transmittal and enclosures to Deposit Account No. 04-0531.

Respectfully submitted,

Peter J. Dehlinger

Peter J. Dehlinger

Registration No. 28,006

Date: 11-06-2000

Correspondence Address:

Customer No. 22918



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NOV 16 2000
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	TECH CENTER 1600/2900 ATTORNEY DOCKET NO.
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09/538,864 03/29/00 CHD

022918 HM12/1004
IDTA PI LAW GROUP
350 CAMBRIDGE AVENUE SUITE 250
P O BOX 60850
PALO ALTO CA 94306-0850

EXAMINER	
M	2001-0703.30
ART UNIT	PAPER NUMBER

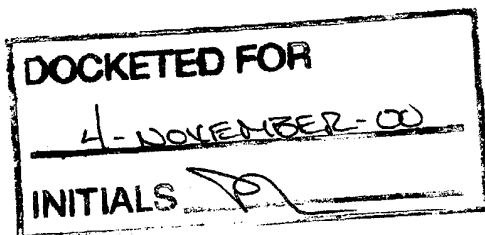
KUBELIK, A
DATE MAILED:

1638

10/04/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



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OCT 16 2000

DEHLINGER & ASSOCIATES,

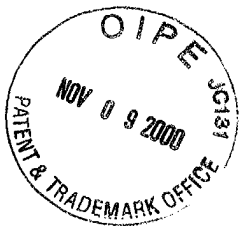


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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TECH CENTER 1600/2900



EXAMINER

ART UNIT

PAPER

4

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 1638.

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

APPLICANT IS GIVEN 30 days FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R., §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne R. Kubelik whose telephone number is (703) 308-5059. The examiner can normally be reached on Monday-Friday, 8:15 am -4:45 pm.

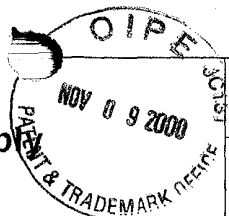
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Hutzell, can be reached at (703) 308-4310. The fax number for the organization where this application or proceeding is assigned is (703) 308-4242. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

PRIMARY EXAMINER

GROUP 160

1638

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Notice to Comply

Application No.

09/538,864

Examiner

Anne R. Kubelik

Applicant(s)

CHO ET AL.

Art Unit

1638

NOV 16 2000

TECH CENTER 1600/2900

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

Technical Assistance.....703-287-0200

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Attorney Registration No. 2001-0703.30

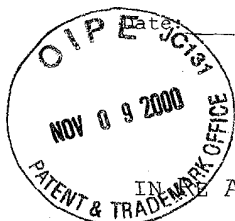
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By: Deborah Brackman #5

PATENT

Response
Ans. J. A.
11-21-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN APPLICATION OF:

Cho, et al.

EXAMINER: Kubelik, A.

SERIAL NO.: 09/538,864

ART UNIT: 1638

FILED: March 29, 2000

FOR: VALUE-ADDED TRAINS IN GRAIN AND
SEED TRANSFORMED WITH
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Amendment

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office action dated October 4, 2000 in the above-identified application, please amend the application as follows.

IN THE SPECIFICATION:

In the specification after page 78, insert pages 1-7 enclosed herewith.

On page 4, line 8, after "(underlined)" insert --(SEQ ID NO:1)--.

On page 4, line 11, after "(underlined)" insert --(SEQ ID NO:3)--.

On page 5, line 17 replace the term "SEQ ID NO:25" with --SEQ ID NO:24--.

On page 5, line 18 replace the term "SEQ ID NO:26" with --SEQ ID NO:25--.